

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MALACHI KILGORE, *also known as*
MANIFEST-ALLAH,

Civil No. 11-2571 (JRT/FLN)

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

v.

KERI GERLICHER,

Defendant.

Malachi Kilgore, #205781, Oak Park Heights, 5329 Osgood Avenue North,
Stillwater, MN 55082, pro se plaintiff.

Jackson Evans, **OFFICE OF THE MINNESOTA ATTORNEY
GENERAL**, 445 Minnesota Street, Suite 900, St. Paul, MN 55101, for
defendant.

The above-entitled matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Franklin L. Noel, dated May 21, 2012
[Docket No. 33]. No objections have been filed to that Report and Recommendation in the
time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the
files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff's motion
for summary judgment [Docket No. 17] is **DENIED WITHOUT PREJUDICE**.

Dated: June 12, 2012
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge